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**TERMINAL DISCLAIMER TO OBIVATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)
AUS20030481US1

In re Application of: Dewitt Jr. et al.

Application No.: 10/675,776

Filed: September 30, 2003

For: Method and Apparatus for Counting Execution of Specific Instructions and Accesses to Specific Data Locations

The owner*, International Business Machines Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 7,395,527 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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is found invalid by a court of competent jurisdiction;
is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
has all claims canceled by a reexamination certificate;
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is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 59,673

/A. M. Thompson/
Signature

19 April 2010
Date

A. M. Thompson
Typed or printed name

972-385-8777
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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